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PATENT

IPW

DOCKET NO. ENFO01-00011
Customer No. 23990

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : LISA A. FILLEBROWN, ET AL.
Serial No. : 09/773,885
Filed : February 1, 2001
For : PERSONAL WIRELESS NETWORK
Group No. : 2155
Examiner : Philip B. Tran

MAIL STOP PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

Sir:

The undersigned hereby certifies that the following documents:

1. Petition Under 37 C.F.R. §1.47 in Support of Declaration of Prior Invention Under 37 C.F.R. 1.131;
2. Declaration in Support of Petition Under 37 C.F.R. §1.47;
3. Check in the amount of \$130.00 for the Petition filing fee; and
4. A postcard receipt

relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to MAIL STOP PETITIONS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 19, 2005.

Date: 10/19/05

Kathy Cedar
Mailer

Date: 10/19/2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of : Lisa A. Fillebrown, et al.

U.S. Serial No. : 09/773,885

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For : PERSONAL WIRELESS NETWORK

Group No. : 2155

Examiner : Philip B. Tran

MAILSTOP PETITIONS

Commissioner for Patents
Washington, D. C. 20231

Sir:

PETITION UNDER 37 C.F.R. §1.47 IN SUPPORT OF DECLARATION OF PRIOR
INVENTION UNDER 37 C.F.R. 1.131

Applicants (and/or the assignee of the entire interest by virtue of assignments at Reel/Frame 011524/0797 and 01175/0887) hereby petition that the accompanying Declaration Of Prior Invention Under 37 C.F.R. 1.131 be made by the signing inventors (Kenneth M. Glover and Russell D. Kautz) on behalf of themselves and the non-signing inventor (Lisa A. Fillebrown). The non-signing inventor, Lisa A. Fillebrown, is unavailable.

As proof of the pertinent facts evidencing the unavailability of the non-signing inventor, Lisa A. Fillebrown, and the diligent effort on the part of the assignee, submitted herewith is a Declaration In Support of Petition Under 37 C.F.R. §1.47.

The above statements and attached Declaration evidence the pertinent facts surrounding co-inventor Lisa A. Fillebrown's unavailability to join in and sign the Declaration of Prior Invention Under 37 C.F.R. 1.131 in the present application.

Accordingly, the Applicants (and/or the assignee of the entire interest) request the Patent Office grant the instant Petition Under 37 C.F.R. §1.47 In Support of Declaration of Prior Invention Under 37 C.F.R. 1.131.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: 10/19/2005


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Examiner : Philip B. Tran

MAILSTOP PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION IN SUPPORT OF PETITION UNDER 37 C.F.R. §1.47

1. This declaration is made in support of the Petition Under 37 C.F.R. §1.47 in connection with the Declaration Under 37 C.F.R. 1.131.

2. The person making this Declaration is Robert A. Samra, Senior Vice President of the present assignee, Enfora, L.P. ("Enfora").

3. As proof of the pertinent facts evidencing the unavailability of the non-signing inventor, Lisa A. Fillebrown (hereinafter "Ms. Fillebrown"), the undersigned states the following:

a. Our records indicate that Ms. Fillebrown's last day as an employee of Enfora was November 19, 2002.

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b. In August 2005, and at my direction, Kathryn Thomas (hereinafter "Ms. Thomas"), Enfora's Human Resources Manager at the time, attempted to contact Ms. Fillebrown at the address(es) and telephone number(s) listed for her in our records, but was unable to locate her.

c. Subsequently in August 2005, and upon my further direction, Ms. Thomas searched the local telephone directories for a listing for Ms. Fillebrown, but once again was not able to locate her.

d. Also in August 2005, I inquired with the other two co-inventors, Kenneth M. Glover and Russell D. Kautz, as to whether they had any knowledge of Ms. Fillebrown's current location, but neither of these two co-inventors had any such knowledge.

e. In addition, in August 2005, I inquired with several employees and/or officers of Enfora, who had worked with Ms. Fillebrown while she was at Enfora, as to whether any of them had any knowledge of Ms. Fillebrown's current location, but none of these employees and/or officers had any such knowledge.

4. As a person signing below:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: October 19, 2005

Robert Samra
Robert A. Samra